

ORDNINANCE NO 103

AN ORDINANCE ADOPTING THE MINNESOTA UNIFORM FIRE CODE AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF

The City Council of the City of Hokah, Houston County, Minnesota, ordains:

SECTION I. UNIFORM FIRE CODE.

The Minnesota Uniform Fire code is hereby adopted as the fire code for the City of Hokah for the purposes of prescribing regulations governing conditions hazardous to life and property from fire or explosion, except as hereinafter modified or amended. Every provision contained in said code, except as modified or amended by this ordinance, is hereby adopted and made a part of this Ordinance as if set out hereat in full.

SECTION II. ENFORCEMENT.

A. The Chief of the Fire Department of the City of Hokah or his duly constituted representative, shall enforce the provisions of this Ordinance.

B. the Chief of the fire Department may with the prior approval of the City Council employ inspector(s) with special, technical expertise.

SECTION III. JURISDICTION.

Whenever the word "Jurisdiction" is used in the Minnesota Uniform Fire code, as adopted by this Ordinance, it shall be construed to mean the city of Hokah.

SECTION IV. ESTABLISHMENT OF LIMITS OF DISTRICT IN WHICH STORAGE OF:

(A) FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVEGROUND TANKS,
(B) BULK STORAGE OF LIQUEFIED PETROLEUM GASES,
(C) STORAGE OF EXPLOSIVES AND BLASTING AGENTS ARE PROHIBITED.

A. The limits referred to in Section 15.201 of the Minnesota Uniform Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited are hereby established to be:

Those areas zoned RA and RB
pursuant to be Zoning Ordinance
for the City of Hokah.

The storage of such substances in other areas of the City shall be subject to the provisions of the City of Hokah Zoning Ordinance except that in any case applicants for the construction and/or maintenance of such storage facilities shall be required to make application therefore in the same manner as applications for Special Use Permits under the provisions of the Zoning Ordinance of the City are made.

B. The limits referred to in Section 20.105 (a) of the Minnesota Uniform Fire Code which relate to the storage of liquefied petroleum gas restrictions are hereby established to be:

Those areas zoned RA and RB
pursuant to be Zoning Ordinance
for the City of Hokah

The storage of such substances in other areas of the City shall be subject to the provisions of the City of Hokah Zoning Ordinance except that in any case applicants for the construction and/or maintenance of such storage facilities shall be required to make

application therefore in the same manner as applications for Special Use permits under the provisions of the Zoning Ordinance of the City are made.

C. The limits referred to in Section 11.106 (b) of the Minnesota Uniform Fire Code in which storage of explosives and blasting agents are prohibited shall include all of the areas encompassed by the City Limits of the city of Hokah. The provisions of this ordinance with regard to the storage of explosives and blasting agents shall not be construed to include ammunition for firearms used for sporting purposes and supplies for reloading of such ammunition except and unless otherwise prohibited by the laws of the State of Minnesota, or other laws, rules, and regulations thereunto appertaining.

SECTION V. MISCELLANEOUS PROVISIONS.

Open burning within the City limits of the City of Hokah is hereby prohibited with the exception of burning related to agricultural activities in areas zoned agricultural provided a permit therefore is first secured from the City Fire Chief or the city Fire Marshall. Open burning for the purposes of brush and weed control is permitted only if a permit therefore is first secured from the City Fire chief or the city Fire Marshall and shall e conducted only under the supervision of the city Fire chief or the city Fire Marshall or their duly appointed representative.

This Ordinance shall not be construed so as to prohibit fires for outdoor cooking of the recreational variety and private recreational fires, nor public bonfires sponsored by schools, churches, service clubs, or other community sponsored functions, bu public bonfires are prohibited unless a permit therefore is secured from the City Fire chief or the City Fire Marshall.

The burning of trash, vegetative materials, and refuse of any kind except as hereinabove specially excepted are hereby prohibited.

The storage of gasoline in overhead farm-type storage tanks is prohibited in all areas except those zoned agricultural and except in the agricultural districts, it is prohibited to keep in above ground storage more than five (5) gallons of gasoline. No more than five (5) gallons of gasoline shall be kept in private garages or other such buildings attached to resident dwellings in the City.

All gasoline storage containers shall be constructed of materials marked and of a color consistent with the laws, rules, and regulations of the State of Minnesota thereunto appertaining.

SECTION VI. APPEALS.

Whenever the Fire Chief or Fire Marshall shall disapprove or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant aggrieved thereby may appeal from the decision of the Fire chief or City Fire Marshall to the Planning Commission which shall consider the matter at its next duly convened meeting and shall thereafter make recommendation to the City Council.

Either the Planning Commission or the City Council may call a public hearing for purposes of considering such applications, and the notice to be given in such event shall be in the same manner as required in the City Zoning Ordinance in connection with the granting of a Special Use Permit regardless which body calls a public hearing, the final decision shall be that of the City Council.

SECTION VII. PENALTIES.

Any person who shall be convicted of the violation of any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine not to exceed \$500.00, and by imprisonment not to exceed ninety (90) days. The imposition of such penalties shall not prohibit the institution of injunctive, mandamus, or other appropriate legal proceedings to compel the enforcement of the provisions of this Ordinance. Each day a violation exists shall constitute a separate punishable offense.

SECTION VIII. REPEALER & SEVERANCE.

All other former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the Code hereby adopted are hereby repealed.

If any provision of this ordinance shall be declared null and void by the judgment or order of a Court of competent jurisdiction, all other provisions of this ordinance shall nevertheless remain in full force and effect.

SECTION IX. EFFECTIVE DATE.

This Ordinance becomes effective from and after its passage and publication.

Passed by the City Council of the City of Hokah this 5th day of July, 1978

Harley B. Kuhlmann, Mayor

Attest
Ernest Sloan
City Clerk-Administrator

Filed 7/10/78